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21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.
25 v.
26 GOOGLE INC.
27 Defendant.

Case No. CV 10-03561 WHA
**DECL. OF GABRIEL M. RAMSEY IN
SUPPORT OF ORACLE'S OPP. TO
MOT. TO PRECLUDE SUBMISSION
OF WILLFULNESS TO JURY**

Date: September 17, 2015 at 8:00 am
Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

1 I, Gabriel M. Ramsey, declare and state as follows:

2 1. I am a member of the bar of the State of California, admitted to practice before this
3 Court, and am a partner with the law firm of Orrick, Herrington & Sutcliffe LLP (“Orrick”),
4 attorneys of record for Plaintiff Oracle America, Inc. (“Oracle”). I am familiar with the events,
5 pleadings and discovery in this action and, if called upon as a witness, I could and would testify
6 competently to the matters stated herein of my own personal knowledge.

7 2. I submit this declaration in support of Oracle’s Opposition to Motion to Preclude
8 Submission of Willfulness to Jury.

9 3. Attached hereto as **Exhibit A** is a true and correct copy of Trial Exhibit 1, an
10 internal Google presentation, marked GOOGLE-00-00001772-GOOGLE-00-00001781, dated
11 July 26, 2005.

12 4. Attached hereto as **Exhibit B** is a true and correct copy of Trial Exhibit 7, e-mail
13 correspondence, marked GOOGLE-01-00019527-GOOGLE-01-00019528, dated October 11,
14 2005.

15 5. Attached hereto as **Exhibit C** is a true and correct copy of Trial Exhibit 10, e-mail
16 correspondence, marked GOOGLE-12-10000022, dated August 6, 2010.

17 6. Attached hereto as **Exhibit D** is a true and correct copy of Trial Exhibit 12, e-mail
18 correspondence, marked GOOGLE-02-00077799, dated December 20, 2005.

19 7. Attached hereto as **Exhibit E** is a true and correct copy of Trial Exhibit 17, e-mail
20 correspondence, marked GOOGLE-12-00006964, dated February 10, 2006.

21 8. Attached hereto as **Exhibit F** is a true and correct copy of Trial Exhibit 18, e-mail
22 correspondence, marked GOOGLE-01-00018470-GOOGLE-01-00018471, dated March 24,
23 2006.

24 9. Attached hereto as **Exhibit G** is a true and correct copy of Trial Exhibit 23, e-mail
25 correspondence, marked GOOGLE-04-00055098-GOOGLE-04-00055099, dated August 16,
26 2006.

27 10. Attached hereto as **Exhibit H** is a true and correct copy of Trial Exhibit 26, e-mail
28 correspondence, marked GOOGLE-02-00052356, dated November 7, 2007.

1 11. Attached hereto as **Exhibit I** is a true and correct copy of Trial Exhibit 29, e-mail
2 correspondence, marked GOOGLE-01-00035931-GOOGLE-01-00035933, dated March 24,
3 2008.

4 12. Attached hereto as **Exhibit J** is a true and correct copy of Trial Exhibit 158, e-mail
5 correspondence with an attached presentation, marked GOOGLE-01-00025575-GOOGLE-01-
6 00025587, dated September 28, 2006.

7 13. Attached hereto as **Exhibit K** is a true and correct copy of Trial Exhibit 207, e-
8 mail correspondence, marked GOOGLE-01-00066909, dated May 10, 2007 - May 11, 2007.

9 14. Attached hereto as **Exhibit L** is a true and correct copy of Trial Exhibit 215, e-
10 mail correspondence, marked GOOGLE-01-00081881, dated June 1, 2006.

11 15. Attached hereto as **Exhibit M** is a true and correct copy of Trial Exhibit 230, e-
12 mail correspondence, marked GOOGLE-02-00020474- GOOGLE-02-00020475, dated August
13 11, 2007.

14 16. Attached hereto as **Exhibit N** is a true and correct copy of Trial Exhibit 233, e-
15 mail correspondence, marked GOOGLE-02-00039715, dated August 5, 2009.

16 17. Attached hereto as **Exhibit O** is a true and correct copy of Trial Exhibit 405, e-
17 mail correspondence, marked GOOGLE-27-00002479, dated May 30, 2008.

18 18. Attached hereto as **Exhibit P** is a true and correct copy of Trial Exhibit 1029, e-
19 mail correspondence, marked GOOGLE-02-00038403-GOOGLE-02-00038404, dated April 29,
20 2009.

21 19. Attached hereto as **Exhibit Q** is a true and correct copy of Trial Exhibit 3215,
22 Google Inc.'s Form 10-K for the fiscal year ended December 31, 2005.

23 20. Attached hereto as **Exhibit R** is a true and correct copy of an excerpt of Volume 5
24 of the Transcript of Jury Trial Proceedings from *Oracle America, Inc., v. Google Inc.*, Case No. C
25 10-3561 WHA, dated April 20, 2012.

26 21. Attached hereto as **Exhibit S** is a true and correct copy of an excerpt of Volume 6
27 of the Transcript of Jury Trial Proceedings from *Oracle America, Inc., v. Google Inc.*, Case No. C
28 10-3561 WHA, dated April 23, 2012.

1 22. Attached hereto as **Exhibit T** is a true and correct copy of an excerpt of Volume 7
2 of the Transcript of Jury Trial Proceedings from *Oracle America, Inc., v. Google Inc.*, Case No. C
3 10-3561 WHA, dated April 24, 2012.

4 23. Attached hereto as **Exhibit U** is a true and correct copy of excerpts of Volume 10
5 of the Transcript of Jury Trial Proceedings from *Oracle America, Inc., v. Google Inc.*, Case No. C
6 10-3561 WHA, dated April 27, 2012.

7 24. Attached hereto as **Exhibit V** is a true and correct copy of a document titled
8 "Mobile Strategy Summit – Notes" produced during discovery, marked GOOGLE-23-00000049-
9 GOOGLE-23-00000057, dated November 4-5, 2010.

10 I declare under penalty of perjury under the laws of the United States that the foregoing is
11 true and correct.

12 Executed this 20th day of August, 2015, at _____, CA.

San Francisco



Gabriel M. Ramsey

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